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மதுரை மாவட்ட ஆட்சியர்

ஆவணம்

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செப்பனிடுபவர் பெயர் வி. சாந்தகுமாரி

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 4/2002

செப்பனிட்டு முடித்த நாள் 7/2002.

சரிபார்க்கும் மு. நி. பா. எ. கையொப்பம் 18/7/02 24/7/2002 வி 19/8/02

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Orders sent to the Tashildar
with the enclosures on the
22d February 1855.

17.2.55

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To R. D. Parker Esqr.
Collector of Madura.

Sir

With reference to your letter of this date 15th February, I have the honor to say, that I accede to the proposition you make, for a new measurement of the lands referred to, in your memorandum, & I enclose letters to Messrs. Herrick, Little & Taylor, requesting them to depute persons to be present, when the lands are measured, & to countersign the statements.

I would also request that you will be pleased to include in the measurement, the Compound within the Fort, now occupied by Mr. Chugg & the piece of land, used for a burying

ground, in the north west suburbs
the city.

I also beg to enclose a copy
of the grant of Government, by whic
we hold the land at Pasoomalie.

I have the honor to be
Sir
Your most obedient Serv

J Rendall
Treasurer Am. Madura

Febuary 15. 1855

No 207

[illegible] 1855

From Revd Rendall

15 February 1855

R No. 249.

Madura 11th April 1846.

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From

Mr. J. Blackburne
Principal Collector of Madura

To

The Rev. Messrs. Tracy & Cherry
American Missionaries
Madura

Gentlemen,

Con.
h 1846-

I have much pleasure in communicating to you the ready acquiescence of the Most Noble the Governor in Council with my prayer, of the 14th February, that you should be allowed to hold 23 c. - 7½ a. of Perambokе gravel, hill, known by the name of Pasoomalaia, at the tax of one anna per Cawny, per annum; and that you should hold the neighbouring lands, previously in your possession, composing 10 c. - 10¾ a. Nunjah & Punjah, taxed in the Survey at Rs. 65 .. 8, at the reduced rate of Rs. 3 - A. 13 - P. 11 - per Cawny, per annum, so long as they continue appropriated to scholastic Mission purposes.

I have the honor to be
Gentlemen
Your most Obedt. Servt.
(Signed) J. Blackburne
Principal Collector

Answered 3rd Aug

Recd Saturday night [illegible] Jul/55
RB

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Pereacoolum July 27th 1855

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To- R. D. [redacted]ker Esq

X

Sir

Since making application for the Mission Compound at Pereacoolum, I have ascertained that there is less land than I had supposed. The application was for 9 Cawnies, 19 Maunees, and 6 feet. At the time of making the application, I supposed this to be the amount of land which I had enclosed; but this neither agrees with the amount granted to Mr Ford when he was in charge of the Station which according to the butchorry papers now before me was 18 Cawlies and

9,200 sq ft, or 8 Cawnies, 3 Cawnies and 2000 sq ft; nor does it agree with the amount for which I now wish to make application which is less than 5 Cawnies. If therefore it is not too late, I would like to have the figures in the application changed so as to come within 5 Cawnies. The boundaries will be the same in either case whether the figures 9. 19. be retained, or whether we exchange them for Cawnies 5. or something else within five
If you will inform me that that change can be made, I will point out to the Moosumudar the limits, or if it is necessary I will get Mr Byewater to make a regular survey of it and send a plan. Will you have the kindness to inform me

whether after the application has been granted, I may not cultivate the land included in it without paying Pattah rent.

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I am astonished to see now while enquiry is being made by the Collector so many papers from the Cutcherry relating to these lands — for before making my application I could get access to nothing.

Yrs very Respectfully
J. J. Bowes.
In behalf of
the Am. Mission.

No. 1137

1855

From Revd. Mr. Hoyer

on behalf of

American Mission

Dated 27th July 1855

31-7-55 R

Answered 29th Septr./55

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13

Extract from the Proceedings of the Civil Court of Madura under date the 30th July 1855.

Read Petition No 295 of 1855 from Rama=chendra Sastry Vakeel for Respondent in Appeal Suit No 29 of 1853 on the file of the Civil Court of Madura praying the Court to apply to the Collector for certain =cuments needful for the prosecution of his appeal.

Read also Proceedings of the Sudder Udal of the 12th July 1855 relative to the course to be pursue by the Courts in regard to the several kinds of Manian granted in this Presidency.

It is observed that the suit in this c has respect to certain lands. the teervai of which is en=joyed as the emoluments of the Curnam in the Villa of Kalanai and the Vakeel for the Respondent ref to a certain order of the Magistrate dated 23rd Au 1842 No 27 as proving that the lands under litiga does not form any part of the emoluments of the office but is vested in other parties distinct and separate from the officer.

The Acting Civil Judge is aware that th are instances in which the Maniamdars have no further right than the Government and that they are only the receivers of the Mailvaram share of the produce or of kist. but he believes that these instan are few and that they form exceptional cases. He resol therefore to forward to the Collector Copy of the Sudde Udalut proceedings above quoted and the original Peti

to be returned

No

No. 295 and to request he will inform the Court with reference to the Magistrate's order above quoted whether the lands referred to in the Petition do or do not form a part of the emoluments of the Curnum's office.

Ordered that ~~an~~ Extract from these Proceedings be sent to the Collector of Madura for his information –

(True Extract)

E Clark
Acting Civil Judge

To

The Collector of
Madura

1855
From the Civil Judge
30 July /55

Exd
J. D. Woodslee

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Extract from the Proceedings of the Sudder Udalut under date the 12th July 1855. 7 15

31-7-55

Read again Proceedings of the Court of Sudr Udalut under date the 30th April 1853, in which after commenting on the particular case under con-sideration, the Court recorded their opinion that in eve case in which it might be notified to a Court by th Revenue Authorities that land attached under Civil process was held as Enam, such Court was bound to stay proceedings, and to remove its attachment forthwith -

1. The Court of Sudr Udalut in consequenc of the repeated references made to them by the Lower Cou as to the nature of the Enams declared in the Courts pr -ceedings of the 30th April 1853 to be removed from the jurisdiction of the Civil tribunals by the provision of Regulation IV of 1831 and Act XXXI of 1836 re-quested the Board of Revenue to furnish them with a statement showing the designations of the several Enams i each of the Zillahs respectively, which in the opinion of the Board were excluded from the jurisdiction of th Civil Courts under the enactments in question-

2. The Board of Revenue in forwarding a list of Hereditary Enams, observe that the line is not always clear between those coming under the enactments above named and those which fall under Regulations VI

V of 1831 and VII of 1817 and suggest that when a doubt arises on this point or any case pending before a Court reference should be made in the first instance to the Collector for more detailed information—

The Court of Sudr Udalut find it impracticable to furnish the Courts with lists specifying every Enam within their respective Zillahs which is excluded from their jurisdiction by Regulation IV of 1831 and Act XXXI of 1836. The following classification, however an be taken by the Courts as a guide in admitting n their files suits relating to Enams and in cases here any doubt may exist it will be proper to follow he course suggested by the Board of Revenue viz o make a reference to the Collector of the district on he subject.

I Endowments made for pious and beneficial purposes such as are embraced by Regulation VII of 1817.

I Enams conferred by Government for ood services performed or as charitable allowances. These are distinctly specified in Regulation IV of 831 and the provisions of this Regulation are ex- xtended by Act XXXI of 1836 to similar grants made by any native Government and confirmed by the British Government. Enams of this nature emanate from the Government and are consequently liable

at

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as explained in the Proceedings of this Court dated 17
July 1843 to be at any time sequestered, such
being the case it is evident that no alienation of
such Enams can take place 8.

III Enams annexed to various offices "as
wages for the performance of public services" clau
to such offices are expressly declared by clause first
Section III Regulation VI of 1831 not to be cognizable by the ordinary Courts of Judicature-

4. With respect to the 1st class of Enams
the Court observe that under the provisions of Section XIV Regulation VII of 1817 they are cognizable
by the Courts-

5. In respect to the 3rd class it ha
been enacted that all claims relating to them shou
be adjudicated exclusively by the Officers of
Government in the Revenue department." They a
therefore excluded from the Civil Courts.

6. The Court are of openion that the
discription of Enams classed under the 2nd hea
is of very extended application and that under
it must be included all such Enams as do not
fall within either of the other two discriptions of
grants-

7. On the receipt of these Proceedings
the several Judicial Officers will examine their fi
and dismiss all such suits as may have referen

to

to Enams declared in the preceding paras to fall within the provisions of Regulation IV of 1831 and Act XXI of 1836. The orders they may pass in this respect will of course be open to the usual course of appeal.

Ordered that Extract from these Proceedings be sent to the Several Civil Judges for their information and guidance and for communication to the Subordinate Judicial Officers.

(True Extract)

(Signed) C. F. Chamier
Deputy Register

(True Copy)

Elliot
Regr Civil C

END

Exd
J. Wilmsee
M. H. W.